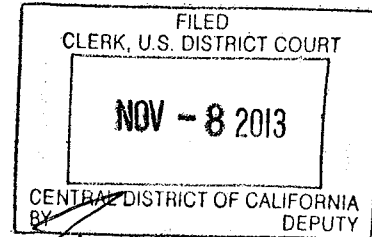


1 Robert G. Hubbard, JR.
10800 Lyndale Ave. S STE 324
2 Bloomington, MN 55420
612-998-2086
3 Grubster411@hotmail.com



7 Case No.: CV-13-06917-~~PLA~~ MMM (CWx)

9 POM WONDERFUL LLC, A
DELAWARE LIMITED LIABILITY
10 COMPANY,

11 Plaintiff,

12 vs.

13 ROBERT G. HUBBARD D/B/A PUR
BEVERAGES, PORTLAND
14 BOTTLING COMPANY, AN
OREGON COMPANY, AND DOES
15 1 THROUGH 10, INCLUSIVE,

16 Defendant

ANSWER TO PLAINTIFFS FIRST
AMENDED COMPLAINT FOR :
FEDERAL TRADEMARK
INFRINGEMENT; VIOLATION OF
THE LANHAM ACT 43(A);
UNFAIR COMPETITION UNDER
CALIFORNIA BUSINESS AND
PROFESSIONS CODE 17200 ET
SEQ.; CALIFORNIA COMMON
LAW UNFAIR COMPETITION

17 DEMAND FOR TRIAL BY JURY

19 COMES NOW ROBERT G. HUBBARD, DBA PUR BEVERAGES, DEFENDANT IN THE
20 ABOVE ENTITLED ACTION, ANSWERS THE PLAINTIFFS AMENDED COMPLAINT AS FOLLOWS:

21 ANSWERING PARAGRAPHS 1, THE ANSWERING DEFENDANTS ARE WITHOUT
22 SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF THE
23 ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

24 ANSWERING PARAGRAPHS 2, THE ANSWERING DEFENDANTS ADMIT THE
25 ALLEGATIONS.

26 ANSWERING PARAGRAPHS 3, THE ANSWERING DEFENDANTS ARE WITHOUT
27 SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF THE
28 ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

29 ANSWERING PARAGRAPHS 4, THE ANSWERING DEFENDANTS ARE WITHOUT
30 SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF THE
31 ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

32 ANSWER TO PLAINTIFFS FIRST AMENDED COMPLAINT FOR : FEDERAL TRADEMARK
INFRINGEMENT; VIOLATION OF THE LANHAM ACT 43(A); UNFAIR COMPETITION UNDER
CALIFORNIA BUSINESS AND PROFESSIONS CODE 17200 ET SEQ.; CALIFORNIA COMMON LAW
UNFAIR COMPETITION DEMAND FOR TRIAL BY JURY - 1

1 ANSWERING PARAGRAPHS 5 AND 6, ANSWERING DEFENDANTS DENY THE
2 ALLEGATIONS.

3 ANSWERING PARAGRAPHS 7, ANSWERING DEFENDANTS DENY THAT THIS COURT
4 HAS SUBJECT MATTER JURISDICTION.

5 ANSWERING PARAGRAPHS 8, ANSWERING DEFENDANTS DENY THAT THE VENUE
6 IS PROPER IN THE DISTRICT, AND DENY THE ALLEGATIONS SET FORTH IN PARAGRAPH 8.

7 ANSWERING PARAGRAPHS 9 THROUGH 12, THE ANSWERING DEFENDANTS ARE
8 WITHOUT SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF
9 THE ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

10 ANSWERING PARAGRAPHS 13, ANSWERING DEFENDANTS DENY THE
11 ALLEGATIONS.

12 ANSWERING PARRAGRAPHS 14 THROUGH 16, ANSWERING DEFENDANTS ARE
13 WITHOUT SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF
14 THE ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

15 ANSWERING PARAGRAPHS 17 AND 18, THE ANSWERING DEFENDANTS DENY THE
16 ALLEGATIONS.

17 ANSWERING PARAGRAPHS 19 THROUGH 28, ANSWERING DEFENDANTS ARE
18 WITHOUT SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF
19 THE ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

20 ANSWERING PARAGRAPHS 29 THROUGH 31, THE ANSWERING DEFENDANTS DENY
21 THE ALLEGATIONS SET FORTH.

22 ANSWERING PARAGRAPHS 32, THE ANSWERING DEFENDANTS ADMIT THE
23 ALLEGATIONS.

24 ANSWERING PARAGRAPHS 33 THROUGH 34, THE ANSWERING DEFENDANTS DENY
25 THE ALLEGATIONS.

26 ANSWERING PARAGRAPH 35, THE ANSWERING DEFENDANTS ARE WITHOUT
27 SUFFICIENT KNOWLEDGE OR INFORMATION TO FORM A BELIEF AS TO THE TRUTH OF THE
28 ALLEGATIONS THEREIN AND, THEREFORE, DENY THE SAME.

29 ANSWERING PARAGRAPH 36 THROUGH 78, THE ANSWERING DEFENDANTS DENY
30 THE ALLEGATIONS.

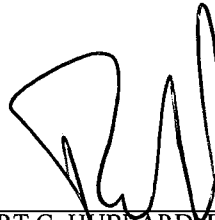
31
32 ANSWER TO PLAINTIFFS FIRST AMENDED COMPLAINT FOR : FEDERAL TRADEMARK
INFRINGEMENT; VIOLATION OF THE LANHAM ACT 43(A); UNFAIR COMPETITION UNDER
CALIFORNIA BUSINESS AND PROFESSIONS CODE 17200 ET SEQ.; CALIFORNIA COMMON LAW
UNFAIR COMPETITION DEMAND FOR TRIAL BY JURY - 2

Prayer for Relief

WHEREFORE, the answering Defendants pray for relief as follows:

1. That Plaintiff take nothing by way of his Complaint and that it be dismissed with prejudice;
2. For costs and attorney fees incurred in the defense of this matter; and
3. For such other and further relief as the Court deems appropriate.

Dated this 5TH of NOVEMBER, 2013.

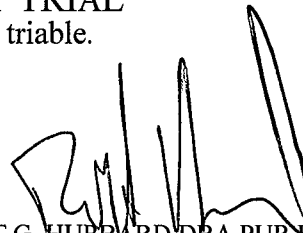


ROBERT G. HUBBARD, DBA PUR BEVERAGES

DEMAND FOR JURY TRIAL

Defendants demand a trial by jury of all issues so triable.

DATED this 5TH day of November, 2013.



ROBERT G. HUBBARD DBA PUR BEVERAGES

Certificate of Service

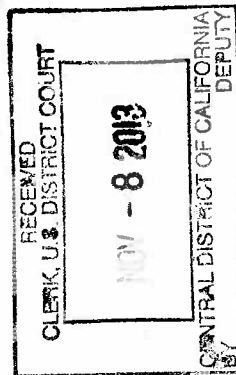
I hereby certify that, on this 5TH day of November, 2013, a true and correct copy of the ANSWER TO PLAINTIFFS FIRST AMENDED COMPLAINT FOR : FEDERAL TRADEMARK INFRINGEMENT; VIOLATION OF THE LANHAM ACT 43(A); UNFAIR COMPETITION UNDER CALIFORNIA BUSINESS AND PROFESSIONS CODE 17200 ET SEQ.; CALIFORNIA COMMON LAW UNFAIR COMPETITION and Demand for Jury Trial was conventionally served on the following by first class U.S. mail at the address below:

Roll Law Group pc
11444 West Olympic Blvd.
Los Angeles, CA 90064-1557
Tel. 310-966-8400
Fax. 310-966-8810


Attorneys for Pom Wonderful, LLC

ANSWER TO PLAINTIFFS FIRST AMENDED COMPLAINT FOR : FEDERAL TRADEMARK INFRINGEMENT; VIOLATION OF THE LANHAM ACT 43(A); UNFAIR COMPETITION UNDER CALIFORNIA BUSINESS AND PROFESSIONS CODE 17200 ET SEQ.; CALIFORNIA COMMON LAW UNFAIR COMPETITION DEMAND FOR TRIAL BY JURY - 3

R. HUBBARD
14728 SEMSBY DR. #408
HAPPY VALLEY, OR 97086



United States District Court
312 N. Spring St. # G-19
Los Angeles, CA 90012-4701
9001209579


R. HUBBARD

NOV 11 2013
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
MAIL ROOM 210 0000070